



M E M O R A N D U M

To: Marcia Becerra, Cluster Manager
Visalia Workforce Service Site 1240

Date: April 8, 2009

File No.: 74:fm:02

From: Ernesto Magaña
Employment Development Department

Subject: MONITOR ADVOCATE OFFICE ON-SITE ANNUAL REVIEW
PROGRAM YEAR 2008-2009
DELANO WORKFORCE SERVICE SITE
FINAL MONITORING REPORT

This Final Monitoring Report summarizes the California Monitor Advocate Office's (MAO) results of the Migrant and Seasonal Farmworker (MSFW) on-site annual review of the Delano Workforce Service (WS) site. Francisco Macias, Associate Monitor Advocate, conducted this annual review from February 24, 2009 through February 26, 2009. We focused our annual on-site review on the full range of employment services, benefits, and protections, including the full range of job and training referral services, counseling, and testing provided to MSFWs.

The MAO conducted this annual on-site review under the authority of all related Federal Regulation, including Title 20 of the Code of Federal Regulation (CFR), Chapter V, Parts 651, 653, and 658, applicable State laws, and Employment Development Department (EDD) Job Service (JS) policies and procedures. Specifically, Title 20 CFR, Part 653.108, requires the MAO to perform ongoing reviews of EDD services provided to MSFWs.

We collected information for this report by examining the Delano WS site provision of services, job information sharing and job application taking process, outreach program operation, data collection, agricultural clearance order activity, and JS complaint system. Additionally, we interviewed Delano WS site management and staff.

During our annual monitoring review we noted the following:

Finding 1:

During the MAO pre-site review analysis, we noted that the Delano WS site spent approximately 1,235 hours in MSFW outreach activities between the months of July 2008 and January 2009. The Agricultural Services Plan allocates 5.0 Personnel Equivalents to the Bakersfield and Delano WS sites. The Delano WS site manager confirmed that 7,238 hours were allocated for MSFW outreach activity for PY 2008-09 with 3,619 hours split evenly between Bakersfield and Delano WS sites.

Citation:

20 CFR 653.107

Response:

During the exit conference, the Delano WS site manager stated that, at the time of the MAO review, the Delano WS site has not used its allocation of hours for MSFW outreach activity fully because of staffing issues. Specifically, the Delano WS site was not able to hire an additional outreach worker between July and November 2008. Additionally, because of the workload and staffing shortages at the Delano WS site, no other EDD staff could be reassigned to conduct MSFW outreach activity. In the future, the Delano WS site manager plans to use the entire MSFW outreach allocated budget by working with other WS sites to allow their staff to conduct MSFW outreach activities when needed and by scheduling additional MSFW-targeted workshops at the Delano WS site.

Recommendation:

The MAO recommends that the Delano WS site coordinates its staffing resources in a more efficient manner by working proactively with other WS sites in the area to avoid not conducting a thorough MSFW outreach activity for a prolonged period of time. Also, the MAO recommends that the Delano WS site conducts in-house MSFW workshops or outreach activities, if needed, to ensure that a vigorous MSFW outreach activity is conducted in the area and that the allocated resources for MSFW outreach activities are properly and entirely used by the end of the program year.

Finding 2:

During the MAO pre-site review analysis, we noted that one of the Delano WS site outreach workers improperly charged 18 hours to the MSFW outreach budget for in-house mainstream Job Service activities such as covering the reception area.

Citation:

EDD MSFW Outreach Manual Section 02-06-00

Response:

During the exit conference, the Delano WS site manager stated he is aware the hours were incorrectly charged to the MSFW budget. Also, an effort will be made to review the DE 8151H (Monthly Log) with the outreach worker prior to sending the report to the MAO.

Recommendation:

As part of the EDD's mandate to provide equitable services to MSFW, resources are set aside for MSFW outreach activity. Many restrictions have been placed on the use of the MSFW budget; specifically, the use of 205/505 for "in the office" activities. The MAO has developed a list of those activities chargeable to the 205M budget roll-up. Covering the reception area in a WS site is not included in the list of chargeable activities to the MSFW budget. We recommend that local management ensures that only those allowable activities are charged to the MSFW budget.

In addition to the findings described in this Final Report, we noted a condition that, if not addressed properly, could potentially become a finding in the future. Specifically, we noted that the Delano outreach workers are listing in the Log of Daily Outreach Activities (DE8149) the times when they are absent for work such as in the event of holidays, vacation, or when being absent from work because of sick leave. In one instance (week of 1/2/09 and 1/12/09), one of the outreach workers listed 8 hours for holiday and 8 hours "sick grandson." In another instance, an outreach worker listed 16 hours of paid holiday for January 1 and January 19, 2009. The EDD MSFW Outreach Manual states that the DE8149 should be used to list all MSFW outreach activities that are charged to the MSFW Outreach Project/Activity Code (205/505). The EDD employees leave should be listed in their respective timesheets.

Please extend our appreciation to your staff for their cooperation and assistance during our review. If you have any questions, please contact Francisco Macias at (916) 651-9463.

Sincerely,



ERNESTO MAGAÑA, Chief
Monitor Advocate Office

cc: Geneva Robinson, Division Chief
Ray Vargas, Regional Administrator
Jim Chavez, Workforce Service Site Manager